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ATTORNEYS AT LAW

March 22, 2005

Leanne Tippet Mosby  
Director, Air Program  
Missouri Department of Natural Resources  
P.O. Box 176  
Jefferson City, MO 65101

Dear Leanne:

It was a good Advisory Forum Meeting on March 10, and there follows a couple of my comments on two of the subjects.

First, with respect to the fees from the EIQs, we should seriously look at spreading out the fee payments throughout the year. This could be done in several different ways as follows:

1. Use SIC Codes to group companies and assign them a fiscal period, and their EIQ and fee would be due the first day of the fourth month following the close of their fiscal year. This could be limited to a quarterly situation or could be month by month. Month by month would spread the work out even better from the point of view of the staff.

2. Offer the sources a choice of selecting their fiscal period for reporting, and after that choice has been given, then arbitrarily fill in the lower areas of participation and assign a fiscal period so that there would be EIQ's being filed every month, and fees being received every month.

The system would provide an opportunity to spread the workload out through your department and provide the flow of funds on a consistent basis so that you never showed a large fund imbalance which the legislature looked at with hungry eyes.

The first years would present some disruption, but after that it would be a lot smoother and a lot easier.

3. As to NOVs we must find a way to have a "provisional", a "notice" of some kind of before NOV action to prevent the issuance of a wrongful NOV. The authority would always be reserved to you to immediately call it an NOV if it involved a serious emission transgression.



In addition, there should be a sunset rule of some kind that NOV's are taken off the record after, say, 10 years.

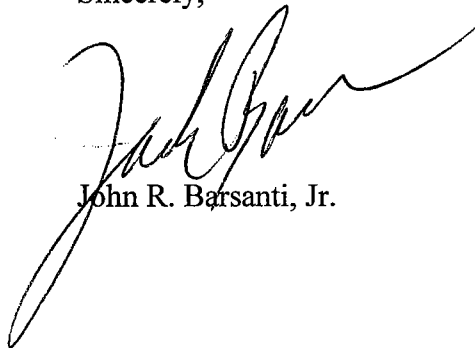
4. A further consideration should be grouping into categories such as some of the other media do, and have a Category 1 which is more serious than a Category 2.

Thank you for continuing the Forum. I applaud the efforts being made to move the Air Program forward onto a better basis without giving up anything environmentally. I would suggest that you look at general permits more deeply. This is based upon Iowa reporting in a meeting a couple of years ago that Iowa had reduced its workload by almost 25% by developing a number of general permits. I realize there is some reluctance to go too far down this road, and yet in the overall scheme of things and with the budget pressures the way they are, would it not be advisable to try a bunch of these, and if they don't seem to work exactly right, tweak them. But at least in the beginning, cut your workload. No matter how much time we spend on a program, it is never perfect, thus, adopting some general permits that are not perfect would not be a disaster.

Please let me know if I can help in any of these endeavors.

With best wishes, I am

Sincerely,



John R. Barsanti, Jr.

JRB/dmd